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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

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14 In re OPENWAVE SYSTEMS, INC.) Master File No.: C-06-03468-SI
SHAREHOLDER DERIVATIVE LITIGATION)
15 _____)
16 This Document Relates To:) **STIPULATION AND [PROPOSED]**
17 ALL ACTIONS.) **ORDER CONTINUING HEARING**
18 _____) **DATE**
19) New Date: March 30, 2007
20) Time: 9:00 a.m.
21) Dept.: 10, 19th Floor
22) Judge: The Hon. Susan Illston
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1 WHEREAS, on December 22, 2006, the Court entered an Order setting forth a schedule for
2 Plaintiffs to file their consolidated complaint, for Nominal Defendant Openwave Systems Inc. and
3 the Individual Defendants to file motions to dismiss the complaint and for Plaintiffs to respond
4 thereto, and for the hearing on the motions.

5 WHEREAS, the parties have met and conferred and have agreed, subject to Court approval,
6 to: (1) continue by one week the dates by which the parties must file their briefs in connection with
7 the motions to dismiss the complaint; and (2) continue the hearing on the motions for one week.

8 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the parties,
9 through their respective counsel of record, as follows:

10 1. Openwave's and the Individual Defendants' motions to dismiss shall be filed by
11 February 9, 2007;

12 2. Plaintiffs' opposition to the motions to dismiss shall be filed by March 9, 2007;

13 3. Openwave's and the Individual Defendants' replies shall be filed by March 23, 2007;

14 4. The hearing on the motions to dismiss shall be held at 9 a.m. on March 30, 2007, or
15 such later date convenient for the Court.

16 IT IS SO STIPULATED.

17 Dated: February 1, 2007 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

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19 By: _____ /s/ Garrett J. Waltzer
20 Garrett J. Waltzer
Attorneys for Defendants
21 Harold Covert, Kenneth Denman, Roger L. Evans,
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1 Dated: February 1, 2007

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4 By: _____ /s/ Benny C. Goodman III
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1 Dated: February 1, 2007

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2
3 By: /s/ Paul J. Collins
4 Paul J. Collins
5 Attorneys for Nominal Defendant
6 Openwave Systems, Inc.

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By: /s/ Lee H. Rubin
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O R D E R

IT IS SO ORDERED.

Dated: _____.


Susan Illston
THE HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT COURT JUDGE

The initial case management conference shall be continued to March 30, 3007, at 2:00 p.m.

A joint case management conference statement must be filed one week prior to the conference.

1 CERTIFICATE OF SERVICE

2 I, Garrett J. Waltzer, am the ECF User whose identification and password are being used to
3 file this Stipulation and [Proposed] Order to Extend Time. In compliance with General Order
4 45.X.B, I hereby attest that each of the counsel executing the Stipulation has concurred in this
5 filing.

6 Dated: February 2, 2007

7 _____
8 /s/ Garrett J. Waltzer
9 Garrett J. Waltzer

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